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8 BEFORE THE
MEDICAL BOARD OF CALIFORNIA
9 DIVISION OF MEDICAL QUALITY
DEPARTMENT OF CONSUMER AFFAIRS
10 STATE OF CALIFORNIA

11 In the Matter of the)	NO. D-5045
Accusation Against:)	
12)	
FAROUKH KERENDI, M.D.,)	
13 4222 Vanalden Avenue,)	STIPULATED SETTLEMENT
Tarzana, CA 91356)	AND
14 Physician and Surgeon's)	DISCIPLINARY ORDER
15 Certificate No. A-40018)	
)	
16 Respondent.)	
_____)	

17
18 IT IS HEREBY STIPULATED AND AGREED, by and between the
19 parties to the above-entitled proceedings, that the following
20 matters are true:

21 1. An Accusation, case number D-5045, is currently
22 pending against Faroukh Kerendi, M.D. (hereinafter the
23 "respondent"), said Accusation having been filed with the Board
24 on December 16, 1992.

25 2. The Accusation, together with all other
26 statutorily required documents, was duly served on the respondent
27 on or about December 16, 1992, and respondent filed his Notice of
28 Defense contesting the Accusation on or about December 22, 1992.

1 A copy of Accusation No. D-5045 is attached as Attachment "A" and
2 hereby incorporated by reference as if fully set forth.

3 3. The then-complainant, Kenneth J. Wagstaff, was the
4 Executive Director of the Medical Board of California
5 (hereinafter the "Board") and brought this action solely in his
6 official capacity.

7 4. At all times relevant herein, respondent has been
8 licensed by the Medical Board of California under physician and
9 surgeon's certificate number A-40018.

10 5. The respondent has retained Chenen, Cohen &
11 Linden, a professional corporation, 4720 Lincoln Boulevard, Suite
12 200, Marina del Rey, California 90292, to act as his legal
13 counsel in this matter.

14 6. The respondent and his attorneys have fully
15 discussed the charges contained in Accusation number D-5045, and
16 the respondent has been fully advised regarding his legal rights
17 and the effects of this stipulation.

18 7. Respondent understands the nature of the charges
19 alleged in the instant Accusation as constituting cause for
20 imposing discipline upon his physician and surgeon's certificate.
21 Respondent is fully aware of his right to a hearing on the
22 charges contained in said Accusation, his right to confront and
23 cross-examine witnesses against him, his right to
24 reconsideration, appeal and any and all other rights which may be
25 accorded him under the California Administrative Procedure Act
26 and, with this in mind, freely, voluntarily and irrevocably
27 waives and gives up such rights.

28 8. Respondent admits that this is a proper case for

1 discipline, and agrees that he has thereby subjected his license
2 to disciplinary action based on the conduct alleged in Accusation
3 No. D-5045. Any admissions made by respondent herein are for the
4 purposes of this proceeding and any other disciplinary
5 proceedings by the Board only, and shall have no force and effect
6 in any other case or proceedings. Respondent agrees to be bound
7 by the Board's Disciplinary Order as set out below.

8 9. In consideration of the foregoing admissions and
9 findings, the parties stipulate and agree that the Board shall,
10 without further notice or formal proceeding, issue and enter the
11 following order:

12 DISCIPLINARY ORDER

13 IT IS HEREBY ORDERED that physician and surgeon's
14 certificate number A-40018 issued to Faroukh Kerendi, M.D., is
15 hereby suspended for a period of one year. However, this
16 suspension is stayed and respondent is placed on probation for
17 five (5) years on the following terms and conditions:

18 1. Within 90 days from the effective date of this
19 decision, respondent shall take and pass an oral clinical
20 examination, in the field of pre-cataract surgery examinations by
21 a general practitioner, to be administered by the Division or its
22 designee. If respondent fails this examination, respondent must
23 take and pass a re-examination consisting of a written as well as
24 an oral clinical examination, also limited to the field of pre-
25 cataract surgery examinations by a general practitioner. The
26 waiting period between the first and second examinations shall be
27 45 days. Thereafter, the waiting period between subsequent
28 repeat examinations shall be at three-month intervals until

1 success is achieved. The Division shall pay the cost of the
2 first examination and respondent shall pay the cost of any
3 subsequent re-examinations.

4 If respondent fails the first examination, respondent
5 shall cease to perform pre-cataract surgery examinations. If
6 respondent fails the second examination, respondent shall cease
7 the practice of medicine until the examination has been success-
8 fully passed, as evidenced by written notice to the respondent
9 from the Division. Failure to pass the required examination no
10 later than 100 days prior to the termination date of probation
11 shall constitute a violation of probation.

12 2. Within 90 days of the effective date of this
13 Decision, and on an annual basis thereafter, respondent shall
14 submit to the Division for its prior approval an educational
15 program or course related to the general or family practice of
16 medicine, which shall not be less than 40 hours per year for each
17 year of probation. This program shall be in addition to the
18 continuing medical education requirements for re-licensure, but
19 may consist of generally available CME courses. Following the
20 completion of each course, the Division or its designee may
21 administer an examination to test respondent's knowledge of the
22 course. Respondent shall provide proof of attendance for 65
23 hours of continuing medical education of which 40 hours were in
24 satisfaction of this condition and were approved in advance by
25 the Division or its designee.

26 3. Respondent, within 90 days from the effective date
27 of this decision, shall pay the amount of \$16,000 in costs to the
28 Medical Board of California.

1 4. Respondent shall obey all federal, state, and
2 local laws, and all rules governing the practice of medicine in
3 California.

4 5. Respondent shall submit quarterly declarations
5 under penalty of perjury on forms provided by the Division,
6 stating whether there has been compliance with all the conditions
7 of probation.

8 6. Respondent shall comply with the Division's
9 probation surveillance program.

10 7. Respondent shall appear in person for interviews
11 with the Division's medical consultant upon request at various
12 intervals and with reasonable notice.

13 8. The period of probation shall not run during the
14 time respondent is residing or practicing outside the
15 jurisdiction of California. If, during probation, respondent
16 moves out of the jurisdiction of California to reside or practice
17 elsewhere, respondent is required to immediately notify the
18 Division in writing of the date of departure and the date of
19 return, if any.

20 9. Upon successful completion of probation,
21 respondent's certificate will be fully restored.

22 10. If respondent violates probation in any material
23 respect, the Division, after giving respondent notice and the
24 opportunity to be heard, may revoke probation and cause
25 respondent's certificate to be suspended for a period of one
26 year. If an accusation or petition to revoke probation is filed
27 against respondent during probation, the Division shall have
28 continued jurisdiction until the matter is final, and the period

1 of probation shall be extended until the matter is final.

2 11. The probation provided for herein may be
3 terminated or modified after two years upon due application
4 pursuant to Business & Professions Code §2307 or other applicable
5 law or regulation.

6
7 CONTINGENCY

8 This Stipulation shall be subject to the approval of
9 the Board. If the Board fails to adopt this stipulation as its
10 Order, the stipulation shall be of no force and effect for either
11 party, nor shall it be mentioned or referred to in any legal
12 action between the parties. This Stipulation shall be deemed
13 effective, and all time periods shall be calculated from, the
14 date of approval by the Board. Respondent shall be promptly
15 notified of such approval.

16
17 ACCEPTANCE


18 I have read the above Stipulation and Disciplinary
19 Order, understand their terms, and agree to be bound thereof.

20
21 DATED: December 28, 1994

22
23 
24 FAROUKH KERENDI, M.D.
Respondent

25 DATED: December 28, 1994

CHENEN, COHEN & LINDEN, a P.C.

26
27 
28 ARTHUR R. CHENEN, ESQ.
Attorney for Respondent

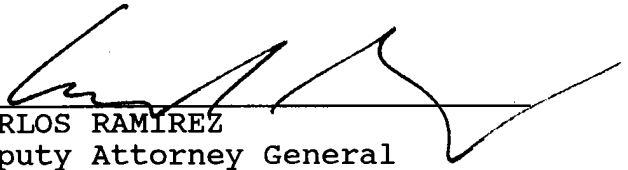
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ENDORSEMENT

The foregoing stipulation is hereby respectfully
submitted for the consideration of the Board.

DATED: 12-31-, 1994.

DANIEL E. LUNGREN, Attorney General
CARLOS RAMIREZ,
Deputy Attorney General


CARLOS RAMIREZ
Deputy Attorney General

Attorneys for Complainant

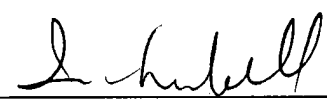
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DECISION AND ORDER
OF THE BOARD

The foregoing stipulation and Order, in case number
D-5045, is hereby adopted as the Order of the Medical Board of
California, Division of Medical Quality. An effective date of
June 15, 1995 has been assigned to this Decision and Order
Made this 16th day of May, 1995.

MEDICAL BOARD OF CALIFORNIA

By 

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1 DANIEL E. LUNGREN, Attorney General
of the State of California
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BEFORE THE
DIVISION OF MEDICAL QUALITY
MEDICAL BOARD OF CALIFORNIA
10 DEPARTMENT OF CONSUMER AFFAIRS
STATE OF CALIFORNIA

11 In the Matter of the Accusation) NO. D-5045
12 Against:)
13 FAROUKH KERENDI, M.D.)
4242 Vanalden Avenue)
14 Tarzana, CA 91356) ACCUSATION
15)
16 Physician and Surgeon's)
Certificate No. A-40018,)
17 Respondent.)

18 Complainant, Thomas Heerhartz , alleges as follows:
19

20 1. He is the Acting Executive Director of the Medical Board
21 of California ((hereinafter "Board")), and brings this Accusation
22 solely in his official capacity.

23 2. Faroukh Kerendi, M.D., (hereinafter "respondent")
24 holds physician and surgeon's certificate number A-40018 issued
25 by the Board on July 1, 1983, authorizing him to practice
26 medicine in the State of California. Said certificate is
27 currently in full force and effect.

///
1.

1 3. Pursuant to Business and Professions Code sections
2 2220 and 2224,^{1/} the Division of Medical Quality, a Division of
3 the Board (hereinafter referred to as "the Division") is
4 authorized to take disciplinary action against all persons,
5 including licensed physicians and surgeons, guilty of violating
6 the Medical Practice Act.

7 4. Section 2234 provides, in pertinent part, that the
8 Division shall take action against any licensee who is charged
9 with unprofessional conduct. According to the terms of said
10 section, unprofessional conduct includes, but is not limited to:

11 ". . .

12 "(b) Gross negligence.

13 "(c) Repeated negligent acts.

14 "(d) Incompetence.

15 "...

16 5. Respondent is subject to disciplinary action
17 pursuant to section 2234, subsections (b), (c) and (d) in that,
18 while providing medical treatment to Cecilia R., Sam G., Mary E.,
19 and Dorothy N., he engaged in acts of gross negligence,
20 incompetence and repeated negligent acts. The particular
21 circumstances are set forth in the succeeding paragraphs of this
22 Accusation, as follows:

23 CECILIA R.

24 6. On or about March 12, 1987, Cecilia R., then 72-
25 years old, presented to the Outpatient Department of Midway
26

27 1. Except as otherwise indicated, all statutory
references are to the Business and Professions Code.

1 Hospital Medical Center for cataract surgery. At that time,
2 respondent performed a "pre-op" workup of Cecilia R.'s medical
3 condition, and noted that Cecilia R. had coronary artery disease
4 with angina pectoris, congestive heart failure that was stable on
5 medication, and insulin-dependent diabetes mellitus.
6 Additionally, respondent ordered laboratory analysis which
7 revealed, among other things, that Cecilia C. had a fasting blood
8 sugar level of 263.

9 7. Respondent without contacting Cecilia's regular
10 physician authorized surgery for Cecilia R. Respondent did not
11 formulate a plan regarding the administration of insulin to
12 Cecilia R. during the peri-surgical period and did not examine
13 her after surgery.

14 8. Respondent is guilty of gross negligence in
15 violation of section 2234, subsection (b), in his care of Cecilia
16 R., in the following respects:

17 A. Respondent failed to control or attempt to
18 control Cecilia R.'s fasting blood sugar level of 263
19 prior to her surgery.

20 B. Respondent failed to consult with Cecilia R.'s
21 regular physician regarding her medical condition prior to
22 authorizing her surgery.

23 C. Respondent authorized elective surgery for
24 Cecilia G. at a time when her fasting blood sugar level
25 was at 263.

26 D. Respondent failed to formulate a plan
27 regarding the administration of insulin to Cecilia R.

1 during the peri-surgical period.

2 D. Respondent failed to examine Cecilia R. after
3 her surgery and failed to leave instructions regarding
4 the post surgery administration of Cecilia's insulin.

5 SAM G.

6 9. On or about March 25, 1987, then 80 years old
7 presented to the Outpatient Department of the Midway Hospital
8 Medical Center for cataract surgery on the right eye. Respondent
9 examined Sam G. and noted in the history and physical examination
10 report that Sam G. was hostile, uncooperative and did not want to
11 provide any information. Subsequently, respondent diagnosed Sam
12 G.'s as having, among other things, congestive heart failure,
13 sick sinus syndrome, a permanent pacer and angina pectoris.
14 Additionally, Sam G.'s laboratory analysis revealed, among other
15 things, that Sam G. had a potassium level of 3.1.

16 10. Respondent without contacting Sam G's physician
17 authorized surgery for Sam G. on March 25, 1987, but did not
18 examine him after the surgery.

19 11. On or about April 1, 1987, Sam G. presented to the
20 Outpatient Department of the Midway Hospital Medical Center for
21 cataract surgery on the left eye. Respondent again examined Sam
22 G. and, as a result of a chest x-ray examination, noted that Sam
23 G. had a cardiomegaly and left lower lung infiltrate that could
24 represent acute disease but did not rule out chronic parenchymal
25 disease

26 12. Respondent without contacting Sam G.'s regular
27 physician authorized surgery for Sam G., but did not examine him

1 after the surgery.

2 13. Respondent is guilty of gross negligence in
3 violation of section 2234, subsection (b) of the Code, in his
4 care of Sam G. in the following respects:

5 A. Respondent failed to consult with Sam G.'s
6 physician regarding Sam G.'s medical condition prior to
7 authorizing elective eye surgery for Sam G. on March
8 25, 1987, and April 1, 1987.

9 B. Respondent authorized the March 25, 1987,
10 elective surgery for Sam G. at a time when his
11 potassium level was at 3.1.

12 C. Respondent authorized the April 1, 1987,
13 elective surgery for Sam G. without determining whether
14 the left lower lobe infiltrate in Sam's chest was acute
15 or chronic.

16 D. Respondent failed to examine Sam G. after both
17 surgeries.

18 MARY F.

19 14. On April 8, 1987, Mary F., then 69-years old,
20 presented to the Outpatient Department of the Midway Hospital
21 Medical Center for cataract surgery. Respondent examined Mary F.
22 prior to the surgery, and in her history and physical examination
23 report, noted that Mary F. had suffered a stroke three months
24 prior to the examination, suffered from hypertension, suffered
25 from a mild organic brain syndrome and suffered from an
26 arteriosclerotic heart disease. Additionally, a laboratory
27 analysis determined that Mary F. had a potassium level of 3.2.

1 Respondent did not evaluate the results of Mary F.'s laboratory
2 analysis and did not reach a conclusion regarding Mary F.'s
3 medical fitness for surgery.

4 15. Respondent without contacting Mary F.'s regular
5 physician authorized surgery for Mary F., but did not examine her
6 after the surgery.

7 16. Respondent is guilty of gross negligence in
8 violation of section 2234, subsection (b), in his care of Mary F.
9 in the following respects:

10 A. Respondent failed to control or attempt to
11 control Mary F.'s potassium level of 3.2 prior to her
12 surgery.

13 B. Respondent failed to evaluate the results of Mary
14 F.'s laboratory analysis prior to the surgery.

15 C. Respondent failed to reach a conclusion
16 regarding Mary F.'s medical fitness for surgery.

17 D. Respondent failed to consult with Mary F.'s
18 regular physician regarding her medical condition prior to
19 authorizing her surgery.

20 E. Respondent authorized elective surgery for
21 Mary F. at a time when she had a potassium level of
22 3.2.

23 F. Respondent failed to examine Mary F. after the
24 surgery.

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DOROTHY N.

17. On February 19, 1987, Dorothy N., then a 62 years old, presented to the Outpatient Department of the Midway Hospital Medical Center for cataract surgery. Respondent examined Dorothy N. at 12:05 p.m. prior to the surgery, and in her history and physical report, respondent noted that she suffered from insulin-dependent diabetes mellitus, hypertension, had previously suffered a stroke and was taking catapres. A laboratory analysis found Dorothy N.'s blood glucose level to be at 293.

18. Respondent without contacting Dorothy N.'s physician authorized surgery for her, but did not formulate a plan for the administration of insulin to Dorothy N. during the peri-surgical period, did not plan for the interruption of catapres ingestion, and did not examine her after the surgery.

19. Respondent is guilty of gross negligence in violation of section 2234, subsection (b), in his care of Dorothy N. in the following respects:

A. Respondent failed to control or attempt to control Dorothy N.'s fasting blood sugar level of 293 prior to her surgery.

B. Respondent failed to consult with Dorothy N.'s regular physician regarding her medical condition prior to authorizing her surgery.

C. Respondent authorized elective surgery for Dorothy N. at a time when her fasting blood sugar levels was at 293.

1 D. Respondent failed to plan for the
2 peri-surgical administration of insulin to Dorothy N.

3 E. Respondent failed to plan for the
4 interruption of Dorothy N., 's ingestion of catapres.

5 F. Respondent failed to examine Dorothy
6 N. after the surgery.

7 20. Respondent, while providing medical treatment to
8 Cecilia R., Sam G., Mary E., and Dorothy N., engaged in repeated
9 negligent acts in violation of section 2234, subsection (c). The
10 circumstances of these violations are as follows:

11 A. Paragraphs 6 through 19 are incorporated by
12 reference herein as though fully set forth at this point.

13 21. Respondent, while providing medical treatment to
14 Cecilia R., Sam G., Mary E., and Dorothy N., engaged in
15 incompetence in violation of section 2234, subsection (d). The
16 circumstances of these violations are as follows:

17 A. Paragraphs 6 trough 19 are incorporated by
18 reference herein as though fully set forth at this point.

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PRAYER

WHEREFORE, complainant prays a hearing be held on the matters alleged herein, and that following said hearing, the Division issue a decision:

1. Revoking or suspending physician and surgeon's certificate number A-40018 heretofore issued to respondent Faroukh Kerendi; and

2. Taking such other and further action as the Division may deem proper.

DATED: December 10, 1992.



THOMAS HEERHARTZ
Acting Executive Director
Medical Board of California
Department of Consumer Affairs

Complainant